

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE

Case

06-CA-294667

Date Filed

4/26/22

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer

Starbucks Corporation

b. Te. No.

206-318-2212

c. Ce. No.

n/a

f. Fax. No.

n/a

d. Address (Street city state and ZIP code)

2401 Utah Ave. South, Ste. 800, Seattle,
WA 98134

e. Employer Representative

Howard Schultz, President/CEO,

g. e ma

hschultz@starbucks.com

(See attachment for Pittsburgh-area location
addresses)

h. Number of workers employed

Approx. 55

i. Type of Establishment (factory mine wholesaler etc.)

Coffee shop

j. Identify principal product or service

Food and beverage

The above named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (3) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

See Attachment.

3. Full name of party filing charge (if labor organization give full name including local name and number)

Workers United

4a. Address (Street and number city state and ZIP code)

22 S. 22nd St.,
Philadelphia, PA 19103

4b. Te. No.

646-448-6414

4c. Ce. No.

n/a

4d. Fax No.

215-575-9065

4e. e ma

dpitkin@pajbwu.org

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)

Workers United a/w SEIU

6. DECLARATION

I declare that I have read the above charge and that the statements
are true to the best of my knowledge and belief.



(signature of representative or person making charge)

Sarah Leah Tarlow, Attorney

(Print/type name and title or office, if any)

Te. No.

(215) 732-0101

Office, if any, Ce. No.

n/a

Fax No.

(215) 732-7790

e ma

starlow@spearwilder.com

Address 230 S. Board St., Ste. 1400, Philadelphia, PA 19102 Date April 25, 2022

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA) 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

Attachment to Charge Against Employer – Starbucks Corporation

1(d) – Employer Location

Pittsburgh-area Starbucks Corporation Locations:

7 Market Square, Pittsburgh, PA, 15222

425 Craig Street, Pittsburgh, PA, 15213

2 – Basis of the Charge

During the last six months, supervisors and agents of the Employer have:

1. (a) threatened employees that they would lose valuable existing benefits, including the ability to transfer to other Starbucks stores, if they continued to support the Union or if the Union won elections;
(b) threatened that stores could be closed or sold if the Union were voted in;
(c) falsely advised employees that the loss of benefits was required by law if the Union were to win the election;
(d) cast the Union in a bad light by advising employees that the Union should be blamed for any loss of benefits and that the Union was lying or refusing to tell employees of the threat to their benefits should the Union win representation elections; and
(e) threatened employees with the loss of other unspecified benefits and with other reprisals should they continue to support the Union.
2. Some of these threats and statements were made at captive audience meetings and at individual meetings that employees were required to attend. Some of these captive audience meetings occurred when employees were: (a) forced to convene on paid time or (b) cornered by management while performing their job duties.
3. The Employer has also during the same time posted written materials in areas accessible to employees containing threats and false information relating to the above issues.

These actions have generated and created a coercive atmosphere at Starbucks stores in and around Pittsburgh, Pennsylvania where representation petitions have been filed as well as at stores where no petition has been filed. The Employer's actions demonstrate a general disregard for, and a proclivity to deny employees fundamental rights guaranteed by the Act.

The widespread nature of the Employer's campaign to threaten and coerce employees in Pittsburgh and elsewhere warrants broad relief on a regional or broader basis. 10(j) relief is requested.

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

CERTIFICATE OF SERVICE

I certify that the attached Charge Against Employer, Starbucks Corporation, was filed electronically on April 25, 2022, through the Board's website and served via Regular Mail and/or Certified Mail upon the following:

Howard Schultz,
President/CEO
Starbucks Corporation
2401 Utah Ave. South, Ste. 800,
Seattle, WA 98134
Employer

Brian Hentosz, Esq.
BHentosz@littler.com
Morgan Dull, Esq.
MDull@littler.com
Littler Mendelson, P.C.
625 Liberty Avenue, 26th Floor,
Pittsburgh, PA 15222-3110
Attorneys for Employer

Respectfully submitted,

/s/Sarah Leah Tarlow

Sarah Leah Tarlow
Spear Wilderman, P.C.
230 South Broad Street, Suite 1400
Philadelphia, PA 19102
T: (215) 732-0101
F: (215) 732-7790
starlow@spearwilderman.com



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 6
1000 Liberty Ave Rm 904
Pittsburgh, PA 15222-4111

Agency Website: www.nlr.gov
Telephone: (412)395-4400
Fax: (412)395-5986



Download
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Mobile App

April 26, 2022

Starbucks Corporation
7 Market Square
Pittsburgh, PA 15222

Starbucks Corporation
425 Craig Street
Pittsburgh, PA 15213

Howard Schultz, President and CEO
Starbucks Corporation
2401 Utah Avenue South
Suite 800
Seattle, WA 98134

Re: Starbucks Corporation
Case 06-CA-294667

Dear Mr. Schultz:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Examiner DAVID J. MACINTYRE whose telephone number is (412)690-7106. If this Board agent is not available, you may contact Supervisory LMR Examiner JANET L. SCHAEFER whose telephone number is (412)690-7114.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlr.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

Prohibition on Recording Affidavit Interviews: It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

Correspondence: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, www.nlr.gov. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native

format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,



Nancy Wilson
Regional Director

:cjc

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

cc: Brian M. Hentosz, Esquire
Littler Mendelson, P.C.
625 Liberty Avenue, 26th Floor
Pittsburgh, PA 15222

Morgan S. Dull, Attorney
Littler Mendelson P.C.
625 Liberty Avenue, 26th Floor
Pittsburgh, PA 15222

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

STARBUCKS CORPORATION

Charged Party

and

**PHILADELPHIA JOINT BOARD, WORKERS
UNITED A/W SEIU**

Charging Party

Case 06-CA-294667

AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, state under oath that on April 26, 2022, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

Starbucks Corporation
7 Market Square
Pittsburgh, PA 15222

Morgan S. Dull, Attorney
Littler Mendelson P.C.
625 Liberty Avenue, 26th Floor
Pittsburgh, PA 15222

Starbucks Corporation
425 Craig Street
Pittsburgh, PA 15213

Howard Schultz, President and CEO
Starbucks Corporation
2401 Utah Avenue South
Suite 800
Seattle, WA 98134

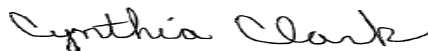
Brian M. Hentosz, Esquire
Littler Mendelson, P.C.
625 Liberty Avenue, 26th Floor
Pittsburgh, PA 15222

April 26, 2022

Date

Cynthia Clark, Designated Agent of NLRB

Name



Administrative Officer

Signature



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 6
1000 Liberty Ave Rm 904
Pittsburgh, PA 15222-4111

Agency Website: www.nlrb.gov
Telephone: (412)395-4400
Fax: (412)395-5986



Download
NLRB
Mobile App

April 26, 2022

Philadelphia Joint Board, Workers
United a/w SEIU
22 S. 22nd Street
Level M
Philadelphia, PA 19103

Re: Starbucks Corporation
Case 06-CA-294667

Dear Sir or Madam:

The charge that you filed in this case on April 26, 2022 has been docketed as case number 06-CA-294667. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Examiner DAVID J. MACINTYRE whose telephone number is (412)690-7106. If this Board agent is not available, you may contact Supervisory LMR Examiner JANET L. SCHAEFER whose telephone number is (412)690-7114.

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If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you

fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

April 26, 2022

Very truly yours,

A handwritten signature in dark ink, appearing to read "Nancy Wilson". The signature is fluid and cursive, with the first name "Nancy" and last name "Wilson" clearly distinguishable.

Nancy Wilson
Regional Director

:cjc

cc: Sarah Leah Tarlow, Esquire
Spear Wilderman P.C.
230 S. Broad Street, Suite 1400
Philadelphia, PA 19102